

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION

R.A.Jr., (a minor child, by and through his)
Father and next best friend, Richard Lemmel)
Arnold,)
Plaintiff,)
v.) Case No.: 3:06-CV-337-WHA
DEPUTY SHERIFF WALTER LACEY,)
in his official and individual capacity)
Defendant.)

PLAINTIFFS' JURY INSTRUCTION NUMBER 18

PMCIV-FJPI § 1-3.17

§ 1-3.17. Force, not reasonable when suspect non-violent and poses no threat

Commission of a misdemeanor militates against finding that force used was reasonable when the person against whom it was used was non-violent and posed no threat to the safety of officers or others.

GIVEN _____

REFUSED _____